THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Writ Petition No.20010 of 2007

20.09.2007

Between

Ponnada Bhanu Krishna Satish

…Petitioner

And

The Greater Visakhapatnam Municipal Corporation, rep.by its Commissioner, Tenneti Bhavan, Aseelmetta, Visakhapatnam and another.

…Respondents

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Writ Petition No.20010 of 2007

ORDER:

This writ petition is filed by the petitioner aggrieved by the alleged action of the respondents in attempting to demolish certain of the structures, which are yet to be completed.

It is stated that the petitioner is the owner of plot bearing No.112 in an extent of 388.88 sq.yards in Ward No.52 in Survey Nos.219/5, 8, 9 and 14 of Kaniti village, Karnavanipalem, Gajuwaka, Visakhapatnam. The petitioner got approved a plan for construction of a residential building showing ground floor for parking and three floors for residential purpose on 01.02.2007 and the petitioner is proceeding with the construction. While so,

the staff of the respondent-Corporation inspected the premises of the petitioner and on the second day of inspection, they came with some people for demolishing some of the structures which was prevented with persuasion. It is also stated that the respondents are resorting to demolish the structures without issuing notice and opportunity to the petitioner.

The learned Standing Counsel appearing for the respondent-Corporation, on the other hand, represented that the respondents are not resorting to demolish the structures, but they are in the process of identifying the deviant and illegal constructions, if any, and they will resort to demolition only after issuing notice and giving opportunity to the owners of the deviant structures and therefore, sought disposal of the writ petition with appropriate directions.

Heard both sides and considered the material on record.

In the circumstances, the writ petition is disposed of, at the admission stage, directing the respondents not to resort for demolition of any structures without issuing show-cause notice and opportunity to the owners of the building where there are deviant constructions and after passing appropriate orders, after issuing show-cause notice, they can do so, if the owners do not comply with

the directions for removal of the deviant structures. No costs.

20.09.2007

Note: Send the operative portion by wire at party's costs.

(b/o)

VGB